

HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated Nainital the 17th June, 2006

Bail Application No. 512 of 2006

Order on the bail application of the accused.

CRIMINAL SIDE

Ranbir Singh S/o Nandu
R/o village Dhadheki
P.S. Laksar
District Haridwar

..... Applicant

Versus

State of Uttaranchal

..... Opposite Party

In Case Crime No.297 of 2005
U/s 396, 397, 412 IPC
Police Station – Manglaur
District - Haridwar

Hon'ble J.C.S. Rawat, J.

Heard Sri Rajendra Singh learned counsel for the applicant and learned AGA for the State.

Perused the record. It was contended on behalf of the applicant that the applicant-accused is not named in the FIR. The FIR was lodged on 13.12.2005 and the applicant-accused was arrested at the behest of the complainant after a lapse of three months i.e. 30.03.2006. The complainant was present at the time of the arrest. It was contended that the presence of the complainant at the time of arrest of the applicant is itself doubtful, which also creates doubt in the entire prosecution case. The identification of the accused was not done by the police. It was further contended that only to avoid the identification, the police has shown the presence of the complainant at the time of arrest. It was further pointed out that it is prevelant in District Haridwar that the presence of the compPlainant is always put at the time of arrest of the accused. Considering the facts and circumstance of the case in totality, it is a fit case for bail at this stage.

Let the accused-applicant be released on bail on executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Magistrate concerned.

Dated 17.06.2006
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(J.C.S. Rawat, J.)